
**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRANDON M. WILBORN,	:	
Plaintiff	:	
	:	Civil Action No. 5:18-CV-3597
v.	:	
	:	
WILLIAM BARR,	:	Judge Jeffrey L. Schmehl
Attorney General of the	:	
United States, <i>et al.</i> ,	:	
Defendants.	:	

**JOINT MOTION TO STAY
REQUEST FOR ATTORNEY FEES AND COSTS**

The Parties respectfully move this Court to stay Plaintiff Wilborn's requirement, pursuant to Fed. R. Civ. P. 54(d), to file a request for attorney fees and costs, until the Parties decide whether to appeal this Court's Order of August 25, 2020. In support of this motion, the Parties respectfully state as follows:

1. On August 25, 2020, the Court issued an order with respect to the injunctive claims asserted by Plaintiff Wilborn. ECF No. 33. Pursuant to Fed. R. Civ. P. 54(d), Plaintiff is required to file a request for attorney fees and costs within fourteen days, if the order constitutes a final order.

2. Pursuant to Fed. R. App. P. 4(a)(1)(B), since the Defendants include the United States and several United States officers sued in their official capacities, the Parties have sixty (60) days to file a notice of appeal from August 25, 2020.

5. The Parties believe that it would promote the efficient use of the Court's and the Parties' resources to deal with the issue of attorney fees and costs when a final determination is made either not to appeal the decision or a final decision entered by an appellate court.

6. Accordingly, the Parties respectfully request that the Court stay any requirement that Plaintiff Wilborn submit a request for attorney fees and costs until 90 days after the later of the following occurs: (1) the decision of the Parties on whether to appeal the Court's order or (2) in the event of an appeal, a final decision on the appeal is reached and the appropriate mandate has issued. Following the expiration of this 90-day period, Plaintiff shall have 45 days within which to submit a request for attorney fees and costs with respect to his claims in the event that the Parties are unable to reach a settlement regarding all issues related to attorney fees and costs. In that event, the Plaintiff respectfully preserves all issues related to attorney fees and costs so that they may be presented to the Court for adjudication.

WHEREFORE, the Parties respectfully request that the Court grant their joint motion to stay Plaintiff Wilborn's requirement to submit any request for attorney fees and costs. A proposed order is attached hereto.

Respectfully submitted,

/s/ Joshua Prince
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Attorneys for Defendants

Date: September 2, 2020

CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that a true and accurate copy of the foregoing was filed electronically through the Eastern District of Pennsylvania Electronic Filing System. Notice of this filing will be sent by operation of the Court's Electronic Filing System to all registered users in this case.

Civil Rights Defense Firm, P.C.

Date: September 2, 2020

By:

A handwritten signature in blue ink, appearing to read "Joshua Prince", is written over a horizontal line.

Joshua Prince, Esq.

Attorney Id. No. 306521

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